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18 JUL 2006

In re Application of	:	
FLATTIN et al.	:	
U.S. Application No.: 10/533,772	:	DECISION ON PETITION
PCT No.: PCT/FR03/03257	:	UNDER 37 CFR 1.47(a)
Int. Filing Date: 31 October 2003	:	
Priority Date: 04 November 2002	:	
Attorney Docket No.: 0579-1088	:	
For: MICROCIRCUIT CARD COMPRISING	:	
MEANS FOR PUBLISHING ITS	:	
COMPUTER OBJECTS	:	

This decision is issued in response to applicants' "Petition under 37 CFR 1.47(a)" filed 22 June 2006 to accept the application without the signature of joint-inventor, Christophe Louis.

BACKGROUND

On 31 October 2003, applicants filed international application PCT/FR03/03257 which claimed a priority date of 04 November 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 21 May 2004. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 04 May 2005.

On 04 May 2005, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a preliminary amendment; and an information disclosure statement.

On 22 February 2006, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 22 June 2006, applicants filed the present petition under 37 CFR 1.47(a) .

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17, (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor. Items (1) - (4) have been satisfied.

A review of the present petition and the accompanying papers reveal that applicants have satisfied item (2), in that the applicants have shown that a bona fide attempt was made to present the application papers, including the specification, claims, and drawings to Christophe Louis. The steps taken by petitioner are sufficient to show that Christophe Louis has refused to execute the application.


Accordingly, it is appropriate to accord the national stage application status under 37 CFR 1.47(a).

CONCLUSION

The renewed petition under 37 CFR 1.47(a) is GRANTED.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.



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